

-8-

REMARKS

Claims 1-7, 9-13 and 15-19 remain in this application. Claim 8 has been cancelled. Claims 1, 10, 11 and 16 have been amended. Claims 1, 11 and 16 are independent claims.

In an Office action dated August 13, 2004, claims 1-11, 13, 15, 16, 18 and 19 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,638,313 to Freeman et al. Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al. in view of Prager et al., while claim 17 was rejected over Freeman et al. in view of Jackson, Jr. et al. In response, Applicant has amended independent claims 1, 11 and 16 and dependent claim 10 to more clearly distinguish the present invention from the cited prior art. Applicant respectfully requests reconsideration of the claims in view of the amendments and in view of the remarks that follow.

A. Patentability of Claim 1

Claim 1 has been amended to include the subject matter of original claim 8. The claimed method includes displaying a stack of partially overlapping images that are directly representative of display information of memory-stored items and includes revealing an increased portion of such image in response to detecting that the display icon is positioned in alignment with the image. By amendment, the method of claim 1 also includes presenting file information regarding the memory-stored items, with the file information presentations being implemented separately from but in correspondence with the revealing of the increased portions of the images as the display icon is moved. The file information includes at least one of the file name, the stored location and the file size. Since the "presenting" step is separate from the "revealing" step of claim 1, the two steps must be considered separately. That is, the file information presentations are in addition to the image revelations. Support for the amendment to claim 1 may be found in claim 8 as originally filed and in Fig. 3, which shows the file information presentation (72) as being in addition to and in correspondence with the revelation of the increased portion of the image (64).

In rejecting original claim 8, the Office action stated that Freeman et al. discloses that the document which is presented comprises file information accessed from memory. The Office action states that the file

-9-

information presentations are in correspondence with the revealing of the increased portions of the images of Freeman et al., "that is, as illustrated in Fig. 1, document 100 (or file information) is revealed by showing its image." In Fig. 1 of Freeman et al., the "document 100 (or file information)" is a single item. That is, there are not separate steps of (1) revealing an increased portion of an image from a stack of partially overlapping images and (2) presenting file information in addition to and in correspondence with the revealing of the increased portion of the image.

Column 8 of Freeman et al. describes the document 100 (or file information) as being a browse card or as being a calling card. The stated purpose of the browse card is to help the user identify a document by providing the user some idea of the document's contents in a small window. In the calling card embodiment, item 100 represents or points to a stream or substream. Applicant respectfully asserts that neither of the two embodiments taught by Freeman et al. anticipates a step of revealing an increased portion of each image in a stack of partially overlapping images and presenting file information in an implementation that is separate from but in correspondence with the revealing of the increased portion. Specifically, Freeman et al. does not anticipate a separate implementation of presenting file information that includes at least one of the file name, the stored location, and the file size.

Applicant further asserts that amended claim 1 is not rendered obvious by the teachings of Freeman et al., whether taken alone or in combination with Prager et al. and Jackson Jr. et al. In Fig. 1 of Freeman et al., information is shown separately from the browse card or calling card 100. Information regarding the main stream is presented. Moreover, since the main stream is chronological, the data associated with the position of the cursor within the chronological stream is presented. However, the teachings regarding the main stream and regarding the data associated with the cursor do not render it obvious to present file information that includes at least one of the file name, the stored location and the file size, separately from the revealing of the increased portion of an image aligned with the "display icon." The "browse card" and "calling card" embodiments are described in column 8 of Freeman et al. As stated, "The purpose of the browse card is to help the user identify a document by providing the user some idea of the document's contents in a small window." This would not render it obvious to provide a separate but corresponding presentation of file information as described in amended claim 1. In the calling card embodiment, each calling card

Attorney Docket No. 10006307-1

-10-

represents or points to a stream or substream, so that every stream has a calling card and the only way to reference the stream is via its calling card. Applicant submits that if the file information of the type described in amended claim 1 is to be presented to the user, the file information would be included on the calling card, rather than being presented separately from the calling card.

Prager et al. was cited for teaching a library of digital photographs. The Prager et al. patent was not cited for its application to original claim 8. That is, the patent was not cited for teaching or suggesting presenting file information in an implementation that corresponds with the revealing of the increased portions of the images from the stack of overlapping images. The Prager et al. patent is assigned to the same assignee as the Freeman et al. patent. Prager et al. provides description of information found on browse cards which appear automatically when the cursor is properly positioned. As noted in the ABSTRACT, "glance views" are displayed in real time in response to passing a cursor over the browse cards on the display. There is no teaching or suggestion that separately from the glance views, there is a presentation of file information that includes at least one of the file name, the stored location, and the file size.

Jackson Jr. et al. was cited with regard to dependent claim 17, which describes simultaneous display of first-level images, a second-level image and a third-level image. Jackson Jr. et al. does not teach or suggest the separate steps of revealing an increased portion of an image upon detecting that a display icon is in alignment with the image and presenting file information separately from but in correspondence with the revealing of the increased portion of the image. Therefore, it is respectfully asserted that even if one were to modify the teachings of the primary reference to Freeman et al. to include the cited feature of Jackson Jr. et al., the resulting method would not render amended claim 1 obvious under Section 103(a).

In view of the amendment to claim 1, Applicant asserts that the independent claim and its dependent claims are in an allowable condition.

B. Patentability of Dependent Claim 10

Claim 10 has been amended to describe the method as further comprising the step of enabling manipulation of file storage and transfer in response to user-initiated designations directed toward the displayed stack

Attorney Docket No. 10006307-1

-11-

of overlapping images, including enabling changes in storage of the memory-stored items within different folders as a consequence of manipulations of the images. Support for the amendment to claim 10 may be found on page 5, lines 4-8 and page 8, lines 17-34 of the application as originally filed. Thus, on page 5, it is stated that "without the cursor leaving the window in which the stack is displayed, the method preferably allows files to be selected for manipulation operations such as changes in folder storage."

Claim 10 was rejected as allegedly being anticipated by Freeman et al. Lines 31-46 in column 16 of the patent were cited. Lines 31-46 describe the displaying step of Freeman et al., rather than a step of enabling manipulation of file storage and transfer. The cited portion states that "said displaying further including displaying a cursor or pointer and responding to a user sliding the cursor or pointer over said displayed stack to display a glance view of the document in the stack that is currently touched by the cursor or pointer, wherein said glance view is an abbreviated version of the documents." While this describes movement of the cursor or pointer, there is no description of file storage or transfer. Specifically, the patent does not teach enabling changes in storage of memory-stored items within different folders as a consequence of manipulations of the images.

Applicant requests reconsideration of claim 10 in view of the amendment.

C. Patentability of Independent Claim 11

Claim 11 describes a computer system that includes a source of image files and computer programming that is cooperative with one or more processors to generate a stack of image files at a display device and to respond directly to the alignment of a cursor with the display so as to generate a user-selected image which is misaligned with respect to the representations in the stack and which is a full-file display of the image data of the specific image file associated with the representation on which the cursor resides. Support for the amendment to claim 11 may be found in viewing Fig. 3 of the application as originally filed. The displayed stack (50) includes a representation (56) on which the cursor (62) resides, so that a full-scale display (64) of the image data in the specific image file associated with the representation is generated.

-12-

Applicant respectfully asserts that the reference to Freeman et al. does not anticipate the computer system described in independent claim 11. The representations of the documents of Freeman et al. (Fig. 1) are browse cards or are calling cards. The description of the browse cards embodiment is consistent in teaching that the content of each browse card is an abbreviated version of a document which has been compressed into a micro-document "like an index card" (Freeman et al.: column 8, lines 3-15). The browse card creation operation may include header stripping, so that the browse card displays the first non-trivial words in a document. Alternatively, the browse card may be subjected to complex analysis so that "most important" words, pictures and/or sounds are presented. Clearly, this does not anticipate a full-file display of the image data of the image file.

In the calling card embodiment, there are a number of described alternatives, but none anticipates a stack of calling cards in which each calling card which is a full-file display of image data in an image file. For example, the face of a calling card may include only whatever information the user is willing to make public (Freeman et al.: column 8, lines 50-53). Thus, the patent does not anticipate claim 11, as amended.

When the "documents" represented by the browse cards 100 of Freeman et al. are image files, the source of the image files may be considered to be a "library." In an analogy to a conventional library of books, the browse cards 100 of Freeman et al. correspond to cards in the traditional card catalog of the library. The browse cards are analogous to the cards in the card catalog, since they are abbreviated versions that include the "most important" words of the books in the library, including the title and author. In comparison, the "user-selected images" of claim 11 are the "books" themselves, since the user-selected images are full-file displays of the image data within the image files. This is shown graphically in Figs. 3 and 4 of Applicant's application as originally filed. The "card catalog" of Freeman et al. and Prager et al. does not anticipate, teach or suggest the computer system described in amended claim 11. Therefore, even if Freeman et al. were to be modified to incorporate selected teachings of Prager et al. and Jackson Jr. et al., the resulting computer system would not render the system described in amended claim 11 unpatentable. Reconsideration of claim 11 and its dependent claims is requested.

-13-

D. Patentability of Independent Claim 16

Claim 16 has been amended to describe the method as including displaying an arrangement of thumbnail images in which regions of rearward thumbnail images are partially covered by forward thumbnail images. The thumbnail images in the arrangement are first-level images that are intact frames of image information from stored image files to be accessed. The method includes displaying a second-level image each time that a user-manipulated indicator is positioned in perceived contact with an exposed region of a first-level image. The displayed second-level image is a presentation of the intact frame of image information of the first-level image. Support for the amendment to claim 16 may be found in Figs. 3 and 4 and the supporting text of the pending application.

Fig. 1 of Freeman et al. is cited for teaching the steps of displaying the arrangement of first-level images and selectively displaying a second-level image.

Applicant respectfully asserts that the amendments to claim 16 patentably distinguish the claim from the cited prior art, since the cited "second-level" image of Freeman et al. is not a presentation of an intact frame of image information of the first-level image, which is an intact frame of image information from the image file that is opened when the second-level image is selected. That is, Freeman et al. does not anticipate the combination of (1) a first-level image that is an intact frame of image information from an image file, (2) a second-level image that is a presentation of the intact frame of image information of the corresponding first-level image, and (3) a third-level image that is displayed upon opening the stored image file that corresponds to the second-level image which was selected. A "browse card" 100 of Freeman et al. is instead an abbreviated version of the document which has been compressed into a micro-document like an index card (Freeman et al.: column 8, lines 3-15). It is respectfully submitted that Freeman et al. does not render amended claim 16 unpatentable.

As previously noted, Prager et al. is assigned to the same assignee as the Freeman et al. patent. Prager et al. provides a more detailed illustration of the "browse cards" in Fig. 1. These "first-level images" are not thumbnail images and are not intact frames of image information from the stored image files. The browse cards may include thumbnail images, but are not thumbnail images, as described in amended claim 16. Thus, even if

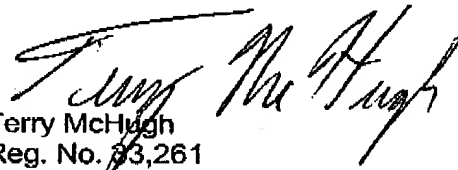
Attorney Docket No. 10006307-1

-14-

the Freeman et al. method were to be modified to include selected teachings of Prager et al. and Jackson Jr. et al., the resulting method would not render amended claim 16 unpatentable. Applicant respectfully submits that claim 16 and its dependent claims are allowable over the prior art.

Applicant respectfully requests reconsideration of the claims in view of the amendments and remarks made herein. A notice of allowance is earnestly solicited. In the case that any issues regarding this application can be resolved expeditiously via a telephone conversation, Applicant invites the Examiner to call Terry McHugh at (650) 969-8458.

Respectfully submitted,



Terry McHugh
Reg. No. 33,261

Date: October 7, 2004

Telephone: (650) 969-8458

Facsimile: (650) 969-6216